

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

KESHA M. ,

Plaintiff,

v.

CIVIL ACTION NO. 2:20cv616

KILOLO KIJAKAZI¹,
Acting Commissioner of Social Security,

Defendant.

REMAND ORDER

This matter comes before the court on Plaintiff's, Keisha M. ("Plaintiff") Motion for Summary Judgment and Brief in support filed on April 12, 2021. ECF Nos. 16, 17. Defendant, Commissioner of the Social Security Administration ("Commissioner") filed a Motion for Summary Judgment and Memorandum in Support on May 10, 2021. ECF Nos. 18, 19. Plaintiff's Reply was filed on May 21, 2021. ECF No. 20.

On March 2, 2021, this matter was referred to United States Magistrate Judge Lawrence R. Leonard, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rules of Civil Procedure, to conduct necessary hearings,

¹ On July 9, 2021, Kilolo Kijakazi was appointed as the Acting Commissioner of Social Security, replacing former Commissioner of Social Security Andrew Saul. Accordingly, the Court substitutes Acting Commissioner Kilolo Kijakazi for Andrew Saul in this matter pursuant to Federal Rule of Civil Procedure 25(d).

including evidentiary hearings, if necessary, and to submit to the undersigned district judge proposed finds of fact, if applicable, and recommendations for the disposition of the matter. See ECF No. 11.

The United States Magistrate Judge's Report and Recommendation ("R&R"), was filed on November 15, 2021. ECF No. 21. The R&R recommends that Plaintiff's Motion for Summary Judgment be granted, the Commissioner's Motion for Summary Judgment be denied, the final decision of the Commissioner be vacated, and this matter be remanded for further proceedings consistent with the recommendation.

By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days of the date of service of the R&R to the objecting party. See id. at 21. The court has received no objections to the R&R, and the time for filing same has expired.

The court, having reviewed the record in its entirety, does hereby **ADOPT AND APPROVE IN FULL** the findings and recommendations set forth in the Magistrate Judge's thorough and well-reasoned R&R, filed on November 15, 2021. ECF No. 21. Accordingly, Plaintiff's Motion for Summary Judgment is **GRANTED**, the Commissioner's Motion for Summary Judgment is **DENIED**, the

final decision of the Commissioner is **VACATED**, and this matter is hereby **REMANDED** to the Commissioner for further proceedings consistent with the R&R filed November 15, 2021.

The Clerk is **DIRECTED** to send a copy of this Remand Order to counsel for the parties, effect the remand to the Commissioner, and close the case on this court's docket.

IT IS SO ORDERED.

/s/ [Signature]
Rebecca Beach Smith
Senior United States District Judge

REBECCA BEACH SMITH
SENIOR UNITED STATES DISTRICT JUDGE

December | , 2021